

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NEW CONCEPT ENERGY, INC.

Plaintiff,

v.

GUY GENTILE and
MINTBROKER INTERNATIONAL, LTD.

Defendants.

No. 18-Civ. 8896-VSB

(ECF)

Related to:

AVALON HOLDINGS CORP.,

Plaintiff,

v.

GUY GENTILE and
MINTBROKER INTERNATIONAL, LTD.

Defendants.

18-Civ-7291-VSB

STIPULATION AND ORDER FOR EXTENSION OF TIME

This Stipulation and Order is entered into by and between Plaintiff New Concept Energy, Inc., and Defendants Guy Gentile and MintBroker International, Ltd., through their respective undersigned counsel:

1. Defendants hereby waive service of process pursuant to Rule 4 of the Federal Rules of Civil Procedure, of the Complaint filed in this action on September 28, 2018 (Dkt. No. 1), as re-filed to correct a clerical error on October 1, 2018 (Dkt. No. 7).

2. Defendants shall have until December 27, 2018, to answer, move to dismiss, or otherwise respond to the Complaint.


3. The parties agree that efficiency warrants adjudication of this case as “related to” *Avalon Holdings Corp. v. Gentile*, No. 1:18-cv-7291, as asserted in the Related Case Statement filed by Plaintiff at Dkt. No. 3.

4. This Stipulation shall not be deemed a waiver of any defenses that Defendants may assert, including, but not limited to, any motion pursuant to Rule 12 of the Federal Rules of Civil Procedure.

Dated: October 5, 2018


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Attorneys for Plaintiff Avalon Holdings Corp.

SO ORDERED:

DATED: _____

Hon. Vernon S. Broderick, U.S.D.J.